

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Robert D. Hill

Title: METHOD OF MODIFYING PLANT
PHENOTYPES WITH NONSYMBIOTIC
HEMOGLOBIN

Appl. No.: 10/582,321

International 12/10/2004

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Examiner: Phuong T. Bui

Art Unit: 1638

Confirmation 4952
Number:

**RESPONSE TO RESTRICTION REQUIREMENT AND PRELIMINARY
AMENDMENT UNDER 37 CFR 1.115**

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

This is a response to the Restriction Requirement mailed January 6, 2011.

In response to the restriction between (I) methods comprising transforming a plant to increase the level of expression of non-symbiotic hemoglobin and (II) methods comprising transforming a plant to decrease the level of expression of non-symbiotic hemoglobin, Applicants hereby elect the subject matter of **Group II** (decreasing) with traverse.

Applicants request that the application be amended prior to substantive examination:

Amendments to the Claims are reflected in the listing of claims which begins on page 2 of this document.

Remarks/Arguments begin on page 4 of this document.